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**LAW OFFICE OF AMY JANE AGNEW, P.C.**

Hon. Gregory H. Woods  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**MEMORANDUM ENDORSED**

September 19, 2018

**VIA ECF**

**Re: *Jones v. Beth Israel Hospital*, 17-cv-3445 (GHW)**

Dear Judge Woods:

I serve as *pro bono* counsel for Plaintiff in the above-referenced case. I am in receipt of Plaintiff's letter he sent to this Court on September 13, 2018, as well as the Court's order of yesterday for a conference on October 3, 2018. (Dkt. No. 65.) I was finally able to speak with my client on Friday, September 14, 2018 and explain to him that all counsel on the case had just received the final lien notices from NYC Health Services Administration. As plaintiffs' counsel for many similar cases I do not enter into settlement agreements until I fully understand how much the City may lien from a plaintiff's settlement. Such liens can have a substantial impact on a plaintiff's calculation of appropriate damages and often create unwelcome surprises. I advised my client of the lien amounts on Friday and he agreed to the settlement offer as tendered. I then sent notice to Defendants' counsel to send the settlement paperwork to me which I have today forwarded on to my client for signature.

After this Court's Order was issued yesterday, I spoke with Defendants' counsel. Please be advised the parties do have a settlement, the paperwork is being processed and my client is

satisfied with its terms. Counsel is happy to speak with this Court on October 3, 2018 in accordance with your Order, but we do feel it is unnecessary at this juncture. I apologize for the direct communications from my client and assure the Court that all counsel worked expeditiously to resolve the litigation.

I submit this letter with consent of Defendants' counsel and extend both parties' thanks for the Court's continued courtesies.

Very truly yours,


*/s/ Amy Jane Agnew*

Amy Jane Agnew, Esq.

Application granted. The teleconference scheduled for October 3, 2018 is adjourned sine die. The Court's July 23, 2018 order conditionally discontinuing the action, Dkt. No. 59, and the Court's September 6, 2018 order extending the deadlines set by the July 23, 2018 order remain in effect. Dkt. No. 63. Counsel for Plaintiff is directed to inform the Warden or other official in charge of the Elmira Correctional facility of this order forthwith.

SO ORDERED.

Dated: September 20, 2018  
New York, New York

  
GREGORY H. WOODS  
United States District Judge

cc: Robert L. Isabella, Counsel for Defendant (VIA ECF)  
Peter J. Fazio, Counsel for Defendant (VIA ECF)